

To: Brody, Jessica R - City Attorney Office[Jessica.Brody@denvergov.org]
Cc: Apostolopoulos, Fonda[fonda.apostolopoulos@state.co.us]
From: Sisk, Richard
Sent: Tue 2/24/2015 4:07:51 PM
Subject: FW: Draft AOC and Action Memo for OU2
Draft VBI70 OU2 AOC for removal 02.12.2015 v2 Denver and EPA comments and edits.doc

Jessica and Fonda – Here are EPA’s responses and comments back to Denver’s comments.

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From: Sisk, Richard
Sent: Thursday, February 12, 2015 4:10 PM
To: 'Brody, Jessica R - City Attorney Office'
Cc: Vanderloop, Celia L. - CPD Planning Services; Clayton, Zachery W. - Environmental Quality Division; Farrell, Lisa A. - Environmental Quality Division; Coggins, Steven - PW Contractor; Uhernik, Bruce - WMD; Schmittziel, Paula; Abendschan, Sharon; Urdiales, Aaron; Land, Kelcey; Madigan, Andrea; Chergo, Jennifer
Subject: RE: Draft AOC and Action Memo for OU2

Jessica – Thanks for your comments on the draft AOC.

Attached is the new version of the draft AOC. EPA is fine with most of your suggested changes. I think the only suggested language we didn’t accept was in Section XIV, Payment of

Response Costs section. On stipulated penalties, EPA needs to include this provision. Thus, we have inserted in this draft some specific moderate provisions for that section for Denver to consider and hopefully accept.

Because I wanted to restore the paragraph numbering, I wasn't able to work with the Word document you sent to me, so the attached draft shows the edits or language that you suggested with which EPA is okay in a new Word document and I reinserted all the comments you made.

In addition, we have added some additional comments and edits and have tried to answer the questions you asked.

Let me know what additional comments, suggested edits, or questions you may have.

Again with this draft if you want to keep the automatic paragraph numbering and cross referencing working properly, the document should be saved as a Word 97-2003 Document with a .doc ending, otherwise the automatic features act up.

Thanks

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From: Brody, Jessica R - City Attorney Office [<mailto:Jessica.Brody@denvergov.org>]
Sent: Monday, January 26, 2015 3:54 PM
To: Sisk, Richard
Cc: Vanderloop, Celia L. - CPD Planning Services; Clayton, Zachery W. - Environmental Quality Division; Farrell, Lisa A. - Environmental Quality Division; Coggins, Steven - PW Contractor; Uhernik, Bruce - WMD
Subject: RE: Draft AOC and Action Memo for OU2

Richard,

Thank you again for taking the time to meet with us to discuss the possible drainage project through the VB/I-70 site. Per our discussion, I have taken a stab at the discussion of the work to be performed, which will obviously need to be fleshed out as we get more direction on the alignment, design, and size of the drainage. I have also marked up the draft AOC with my comments and a few proposed edits. Please note this is subject to further internal review here.

Once you have had a chance to review, I would welcome the opportunity to talk through with you any issues you see as sticking points.

Thanks,

Jessica



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From: Sisk, Richard [<mailto:Sisk.Richard@epa.gov>]
Sent: Wednesday, October 15, 2014 12:23 PM
To: Brody, Jessica R - City Attorney Office
Cc: Schmittiel, Paula; Abendschan, Sharon; Wharton, Steve; Madigan, Andrea; Jennifer Robbins;

Chergo, Jennifer; Jamison, Doug; Apostolopoulos, Fonda
Subject: Draft AOC and Action Memo for OU2

Jessica – I am pleased to be able to send you, for review and comment, a draft AOC and a draft action memo for Denver's proposed work within OU2 of the VBI70 site.

The draft AOC has automatic paragraph numbering and cross referencing within the document. In order to keep these features working properly, the document should be saved as a Word 97-2003 Document with a .doc ending, otherwise the automatic features act up.

Within the model AOC, EPA has dropped the requirement for financial assurance and you will see there are a number of provisions where we will fill in blanks or provide more detail through our discussions and negotiations. After you and your folks have a chance to review these drafts, let's talk and figure out the best means to move these documents forward to agreement.

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